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Message Text

PAGE 01 STATE 101587
ORIGIN IO-14

INFO OCT-01 ISO-00 /015 R

66011
DRAFTED BY:EDDIE EDWARDS
APPROVED BY:ROBERT ANDREW
----------000392 211950Z /45
R 210047Z APR 78
FM SECSTATE WASHDC
INFO USMISSION GENEVA 0000

UNCLAS STATE 101587

FOLLOWING REPEAT MEXICO 6364 ACTION SECSTATE DATED APRIL 19, 1978.

QUOTE: UNCLAS MEXICO 06364

EO: 11652 N/A
TAGS: SNAR, MX
SUBJECT: NARCOTICS - NORML LAWSUIT

1. EMBASSY HAS RECEIVED ADDITIONAL REPORT IN DRAFT FROM ATTORNEY GENERAL'S OFFICE. WE EXPECT TO HAVE FINAL REPORT AND ANNEXES THIS WEEK. SECTION AND PARAGRAPH REFERENCES REFER TO STATEMENT IN COMPLAINT FILED BY NORML. FOLLOWING IS FREE TRANSLATION OF DRAFT.

2. "COMMENTS ON SOME OF THE TECHNICAL ASPECTS OF THE NORML LAWSUIT AGAINST THE DEPARTMENT OF STATE, AID, DEA AND THE DEPARTMENT OF AGRICULTURE.

SECTION III, PARA 3(C):
II. MARIJUANA AND POPPY CROPS ARE LOCATED IN ISOLATED, INACCESSIBLE REGIONS IN WHOSE SURROUNDINGS THERE ARE NO VEGETABLE, FRUIT OR OTHER EDIBLE CROPS. GENERALLY THERE ARE NO NATURAL DEPOSITS OR WATERWAYS IN THIS REGION FOR UNCLASSIFIED

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HUMAN OR ANIMAL BENEFIT.

THE HERBICIDE WHICH IS BEING USED IS COMMONLY USED IN THE WORLD AND IN THE UNITED STATES. THE EPA HAS APPROVED ITS USE IN MORE THAN 23 CROPS. FOR THIS REASON THERE IS ASSURANCE THAT, USED PROPERLY, IT DOES NOT REPRESENT ANY DANGER FOR HUMAN CONSUMPTION. IN THE UNITED STATES, THE EPA HAS AUTHORIZED THE USE OF PESTICIDES AFTER TAKING SCIENTIFIC STUDIES.
IN MEXICO THERE IS AN OFFICIAL LIST OF HERBICIDES IN

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ORDER TO AVOID USING THOSE WHICH ARE NOT PROPERLY APPROVED
ON EDIBLE CROPS.
III. THE SUB-SECRETARIAT FOR ENVIRONMENTAL IMPROVEMENT OF
THE SECRETARIAT OF HEALTH AND WELFARE, AS WELL AS THE
DIRECTORATE GENERAL OF PLANT HEALTH OF THE SECRETARIAT
OF AGRICULTURE AND WATER RESOURCES UNDERTAKE VERIFICA-
TION PROGRAMS TO EVALUATE THE TOXIC MATERIAL RESIDUES OF
OF HERBICIDES IN EDIBLE PRODUCTS EITHER FOR DIRECT CON-
SUMPTION OR PROCESSED GOODS.

THE DIRECTORATE GENERAL OF PLANT HEALTH, THROUGH 10
LABORATORIES DISTRIBUTED IN DIFFERENT AGRICULTURAL REGIONS
OF THE COUNTRY, UNDERTAKES STUDIES OF HERBICIDE RESIDUALS
IN FRESH AGRICULTURAL PRODUCTS AND MEAT FOR DOMESTIC
CONSUMPTION AS WELL AS THAT FOR EXPORT. NATURALLY THIS IS
NOT DONE ON A PRODUCT LIKE MARIJUANA WHICH, IN THE FIRST
PLACE, IS NOT EDIBLE AND IS CONSIDERED IN MEXICO AS AN
ILLICIT CROP AND IS BEING ERADICATED THROUGH THE ATTORNEY
GENERAL/S PERMANENT CAMPAIGN AGAINST THE PLANTING, CULTI-
VATION AND HARVESTING OF NARCOTICS.

SECTION III, PARA 3(D).
AS WE HAVE SAID BEFORE, THE LOCATIONS WHERE THE PLANTING
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AND HARVESTING OF MARIJUANA AND POPPY OCCUR ARE ISOLATED
WITH DIFFICULT TOPOGRAPHY AND ALMOST INACCESSIBLE IF ONE
DOES NOT USE A HELICOPTER. THEREFORE, WE BELIEVE THE
ACCESS TO THESE PLACES BY ANY TRAVELER FOR PURPOSES OF
TOURISM IMPOSSIBLE. IN ADDITION,BECAUSE THE SPRAYING IS
DONE BY HELICOPTER THE CONTROL OF THE AREA OF ATTACK OF
THE ZONE SELECTED IS TOTALLY SELECTIVE AND PRECISE IN ORDER
TO AVOID DAMAGES TO THE SURROUNDING VEGETATION.

SECTION IV, PARA 20:
BY VIRTUE OF THE FACT THAT THE SPRAYING WHICH IS PART OF
THE PERMANENT CAMPAIGN AGAINST THE PLANTING, CULTIVATION
AND HARVESTING OF DRUGS IS PERFORMED BY HELICOPTER WITH
TRAINED PERSONNEL, THE SPRAYING IS TOTALLY AND PRECISELY
CONTROLLED OVER THE FIXED OBJECTIVE, AFTER TAKING INTO
ACCOUNT THE ATMOSPHERIC CONDITIONS AND TOPOGRAPHICAL
CHARACTERISTICS.

THE LABEL APPROVED BY THE UNITED STATES AND MEXICAN
AUTHORITIES MENTION THAT PARAQUAT IS AN AUTHORIZED PRODUCT
FOR THE DESTRUCTION OF NOXIOUS WEEDS AND GRASS WHICH ARE
CONSIDERED UNDESIRABLE. SPECIFICALLY, IN MEXICO MARIJUANA
IS CONSIDERED AS AN UNDESIRABLE AND ILLICIT CROP. FURTHER-
MORE, THERE IS A RECOMMENDATION BY THE SECRETARIAT OF
AGRICULTURE AND HYDRAULIC RESOURCES FOR THE UTILIZATION OF
THIS HERBICIDE ON MARIJUANA AND POPPY. (ATTACHMENT)

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PARAQUAT IS PRESENTLY APPROVED IN THE UNITED STATES FOR EDIBLE CROPS SUCH AS APPLES, PEARS, GUAYABAS, PINEAPPLES, STRAWBERRIES, CHERRIES, POTATOES, SOYA, SUGAR CANE, ASPARAGUS, LETTUCE, MELONS, CUCUMBER, CAULIFLOWER, SORGHUM, TOMATOES, ETC. IN ACCORDANCE WITH THE EPA REGISTER 239-2186-AA AND IN THE MEXICAN REPUBLIC, BY REGISTER 230/ 74 (ATTACHMENT).

THE EPA REQUIRES THAT THIS (PARAQUAT) AND ALL HERBICIDES
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BE APPLIED BY EXPERTS AND ALSO THAT RESIDUAL TOLERANCE LIMITS BE ESTABLISHED FOR THE CROP IN WHICH ITS USE IS APPROVED. IN MEXICO THIS CONDITION IS BEING FULFILLED BECAUSE THE OPERATORS ARE HIGHLY QUALIFIED AND IF A RESIDUAL TOLERANCE HAS NOT BEEN ESTABLISHED FOR MARIJUANA IN MEXICO OR THE UNITED STATES, IT IS BECAUSE IT IS AN ILLICIT AND ILLEGAL CROP. WE WANT TO EMPHASIZE THAT NEITHER THE UNITED NATIONS, NOR THE GOVERNMENT OF MEXICO, NOR THE GOVERNMENT OF THE UNITED STATES, NOR ANY OTHER NATION, HAS ESTABLISHED PARAQUAT OR OTHER HERBICIDE RESIDUAL TOLERANCES FOR MARIJUANA AND POPPY. BOTH ARE ILLICIT CROPS IN MEXICO AND THE UNITED STATES.

(C) IN MEXICO THE REGISTER FOR PESTICIDES IS REVIEWED EVERY THREE YEARS IN ORDER TO UPDATE IT AND NOT EVERY FIVE YEARS SUCH AS IN THE UNITED STATES. (ANNEX) PARAGRAPH (C) MENTIONS THE THOUSANDS OF PESTICIDES IN ACTUAL USE, WHEN IN REALITY THE NUMBER OF BASIC MATERIALS USED AS PESTICIDES DOES NOT REACH 600. IN THE SAME PARAGRAPH, IT MUST BE NOTED THAT THE POTENTIAL DANGERS OF PARAQUAT ARE UNPROVEN POSSIBILITIES AND APPLICABLE TO ALL PESTICIDES IN PRESENT USE.
PARAGRAPH 21: THE SAME COMMENTS WHICH WERE MADE IN REFERENCE TO THE RESIDUAL TOLERANCE OF PARAQUAT IN MARI-JUANA ARE VALID IN THE CASE OF HERBICIDE 2-4-D UTILIZED TO COMBAT POPPIES, SINCE NO RESIDUAL TOLERANCE HAS BEEN ESTABLISHED FOR THIS ILLICIT CROP. NOT FOR THIS OR ANY OTHER HERBICIDE.
PARAGRAPH 25: THE SPRAYING PROGRAM DOES NOT AFFECT HUMAN HEALTH SINCE THE CROP DESTROYED IS NOT CONSIDERED FOR HUMAN CONSUMPTION.

IT DOES NOT AFFECT PLANT ECOLOGY BECAUSE AN ILLICIT CROP
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IS ELIMINATED, NOT WILD VEGETATION.
IT DOES NOT AFFECT ANIMAL ECOLOGY SINCE IT IS A CROP WHICH IS NOT FOOD FOR ANY TYPE OF ANIMAL.

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IT DOES NOT AFFECT INSECT ECOLOGY BECAUSE PARAQUAT IS NOT AN INSECTICIDE.
THE POPPY AND MARIJUANA CULTIVATOR DOES AFFECT ECOLOGY BECAUSE HE DESTROYS AND BURNS TREES AND BUSHES FOR HIS ILLICIT CROP AND THEREBY CAUSES EROSION.

PARAQUAT DOES NOT AFFECT WILDLIFE.

PARAQUAT WAS APPLIED TO VARIOUS TYPES OF SOILS AT RATES OF 2.2 KGS/HA TO 565 KGS/HA AND NO EVIDENCE OF DIRECT TOXICITY WAS FOUND IN THE SMALL INSECTS AND WORMS SELECTED FOR TESTING.

IT WAS ALSO OBSERVED THAT THE WORMS WERE NOT AFFECTED BY THE PARAQUAT RESIDUAL IN THE SOIL EVEN THOUGH THE DOSE APPLIED WAS EXCESSIVELY HIGH; THE NUMBER OF WORMS REMAINED HIGH AT ALL TIMES.

IT WAS FOUND THAT PARAQUAT RESIDUALS WERE CONFINED TO THE INTESTINES ONLY AFTER A DOSE OF 111 P.P.M. WHEN THE WORMS WERE PLACED IN UNTREATED SOILS, THEY QUICKLY ELIMINATED THE RESIDUALS.

THE FISH IN TREATED WATER HAVE SHOWN SMALL QUANTITIES OF RESIDUALS IN THEIR TISSUES BUT IS NOT ACCUMULATED AND UPON TRANSFERRING THEM TO CLEAN WATER THESE RESIDUALS WERE ELIMINATED.

THE ACUTE TOXICITY OF PARAQUAT IN PHEASANTS IS ON THE ORDER OF 30,000 P.P.M. IN THE FOOD AND IN DUCKS OF 100,000 P.P.M.

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CATTLE FED WITH TREATED FORAGE, IMMEDIATELY AFTER THE APPLICATION OF 1.1 KGS OF PARAQUAT PER HECTARE, DID NOT SUFFER TOXIC EFFECTS FROM THE TREATED FORAGE, EVEN THOUGH RESIDUALS OF 0.02 P.P.M. WERE FOUND IN THE MILK. WHERE THE PARAQUAT RESIDUALS IN THE FORAGE WAS HIGHER THAN 1,000 P.P.M. THERE WERE NO RESIDUALS FOUND IN THE MILK EVEN THOUGH A METHOD OF ANALYSIS CAPABLE OF DETECTING PARAQUAT RESIDUALS OF 0.005 P...M. WAS USED.

20 P.P.M OF PARAQUAT WAS ADMINISTERED TO THE DRINKING WATER FOR CALVES AND SHEEP DURING ONE MONTH WITHOUT PRODUCING ANY SYMPTOMS.

THE LABEL RECOMMENDATIONS ARE THE USUAL ONES FOR ALL HERBICIDE PRODUCTS ON PRECAUTION REQUIREMENTS.
REASONS FOR THE SELECTION OF PARAQUAT FOR THE DESTRUCTION OF ILLICIT PLANTING OF MARIJUANA:
(L) IT IS A CONTACT DESSICANT HERBICIDE OF RAPID EFFECT.

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(2) UPON CONTACT WITH THE SOILS, IT BECOMES INACTIVE AND CONSEQUENTLY DOES NOT LEAVE TOXIC RESIDUALS, NOR IS IT ABSORBED BY THE PLANTS.
(3) IT RAPIDLY DESTROYS THE GREEN TISSUES OF THE WEEDS.

(4) IT IS NOT VOLATILE NOR AFFECTED BY THE RAIN.

(5) IT DOES NOT CHANGE THE STRUCTURE OF THE SOILS, ITS FERTILITY NOR ITS MICROORGANISMS.

PRACTICAL SIGNIFICANCE:

(A) PARAQUAT IS AN EXTREMELY EFFECTIVE HERBICIDE AND OF WIDE SPECTRUM.
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(B) IT IS NOT VOLATILE, CONSEQUENTLY IT CAN BE USED FOR CONTROLLED SPRAYING.

(C) IT IS A DIRECT CONTACT HERBICIDE AND IS NOT TRANS-FERRED IN PLANTS. IF BY ACCIDENT A CROP IS SPRAYED WITH PARAQUAT, ONLY THE PART OF THE PLANT SPRAYED WILL DRY AND THE PLANTS NOT SPRAYED WILL CONTINUE THEIR NORMAL GROWTH.

(D) IT IS IMMEDIATELY INACTIVATED UPON CONTACT WITH THE SOIL.
(E) THE MAJORITY OF THE SOILS HAVE A TREMENDOUS CAPACITY TO ABSORB AND INACTIVATE PARAQUAT.

(F) PARAQUAT WHICH IS ABSORBED AND INACTIVATED BY THE COLLOIDS OF THE SOIL WITH A NEGATIVE CHARGE, AND BY THE CLAY MINERALS, ARE SUBJECT TO DECOMPOSITION BY THE MICROORGANISMS WHICH LIVE IN THIS SOIL.
(G) THE PRODUCTS WHICH RESULT FROM THE DECOMPOSITION OF PARAQUAT ARE NOT TOXIC.
(H) SINCE PARAQUAT IS NOT SYSTEMATIC THE SPRAYING IS CONTROLLED BY ONLY WETTING THE MARIJUANA FOLIAGE. PARAQUAT IS RAPIDLY ABSORBED BY THE PLANT TISSUES AND CONSEQUENTLY IS NOT AFFECTED BY THE RAINS. ONCE ABSORBED, PARAQUAT IS SUBJECT TO DECOMPOSITION BY ULTRA-VIOLET LIGHT WHICH REDUCES THE QUANTITY OF PARAQUAT ION WHICH REACHES
-
THE ABSORPTIVE AREAS OF THE SOIL.

ATTACHED IS RELEVANT LITERATURE ON THIS SUBJECT (24 TOTAL).

ATTACHED IS A REPORT BY LIC. FERNANDO BAEZA MELENDEZ, EXECUTIVE OFFICER OF THE ATTORNEY GENERAL'S OFFICE OF THE REPUBLIC. RELEVANT LITERATURE IS ALSO ATTACHED (22 IN TOTAL).

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PARAGRAPH 26: ATTACHED IS A REPORT SENT TO THE EXECUTIVE OFFICER BY THE CHIEF OF MEDICAL SERVICES OF THE ATTORNEY GENERAL'S OFFICE OF THE REPUBLIC.

PARAGRAPH 28: THERE EXIST STUDIES ON THE ERADICATION OF ILLICIT CROPS AND THE SUBSTITUTION OF LEGAL CROPS."
LUCEY UNQUOTE CHRISTOPHER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 26 sep 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LITIGATION, NARCOTICS, SPECIAL INTEREST GROUPS, HERBICIDES
Control Number: n/a
Copy: SINGLE
Draft Date: 21 apr 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE101587
Document Source: ADS
Document Unique ID: 00
Drafter: EDWARDS
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Expiration:
Film Number: D780171-0637
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t197804109/baaafcmj.tel
Line Count: 285
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Message ID: 6c39bda6-c288-dd11-92da-001cc4696bcc
Office: ORIGIN IO
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2830477
Secure: OPEN
Status: NATIVE
Subject: NARCOTICS - NORML LAWSUIT
TAGS: SNAR, MX, US, NORML
To: n/a INFO GENEVA
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/6c39bda6-c288-dd11-92da-001cc4696bcc
Review Markings:
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